

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 23-20062

-vs-

Hon. Victoria A. Roberts

IBRAHIM SAMMOUR, D-5,

Defendant

**DEFENDANT’S MOTION TO PERMIT HIM TO DO WORK AS RN
FOR EXPERTS IN HOME HEALTH MANAGEMENT, INC.
WHILE ON BOND**

Defendant, Ibrahim Sammour, through his attorney Mitchell T. Foster, for his motion to permit him to do work as a registered nurse for Experts in Home Health Management, Inc. while on bond, states the following in support of his motion:

1. Ibrahim Sammour is a registered nurse.
2. As a condition of bond, Sammour was permitted to do work as an RN while on bond. The specific condition is as follows: “Any employment must be approved by Pretrial Services, and after

consultation with the government. Not to be involved in the direct billing of any federally funded healthcare programs.” (ECF No. 19, Page ID 58)

3. Sammour requested to do work for Experts in Home Health Management, Inc. and submitted a letter dated April 27, 2023 from Sarah Daniels, the Clinical Manager at Experts stating,

“Mr Sammur, registered nurse will be working in the field for Experts in home health management. Mr Sammur, has nursing skills to provide care for patients at home. Mr Sammur will not be submitting or controlling billing for Medicare. Expert’s office staff (administration) will be doing the billing for all Medicare patients.” (See Exhibit A – attached).

4. This letter provides that Sammour is “not to be involved in the direct billing of any federally funded healthcare programs” as required as a condition of bond.

5. Pretrial services has not given a reason for denying Sammour the opportunity to work for Experts.

6. Experts has work for Sammour to perform as an RN and Sammour can start immediately.

7. On May 2, 2023, attorney Foster sent an email requesting concurrence with this motion pursuant to LR 7.1(a) and requesting that AUSA Shankar Ramamurthy agree to a stipulation to permit that Sammour be permitted to do RN work for Experts, and Mr. Ramamurthy responded, “The government does not consent.”

REQUEST FOR RELIEF

WHEREFORE, Ibrahim Sammour requests that this Court enter an order permitting him to do work as a registered nurse in the field for Experts in Home Health Management, Inc. while he is on bond.

Respectfully submitted,

MITCHELL T. FOSTER, P.C.

Date: May 2, 2023

By: /s/ **Mitchell T. Foster**
Mitchell T. Foster (P46948)
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**BRIEF IN SUPPORT OF
MOTION TO PERMIT DEFENDANT TO DO WORK AS RN FOR
EXPERTS IN HOME HEALTH MANAGEMENT, INC.
WHILE ON BOND**

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STATEMENT OF CONTROLLING AUTHORITY

The Bail Reform Act, 18 U.S.C. § 3142(c)(1)(B), provides that the Court must determine the least restrictive condition, or combination of conditions, to reasonably assure the safety of any person and the community.

STATEMENT OF ISSUE PRESENTED

- I. Should this Court permit Sammour to do field work as a registered nurse for Experts in Home Health Management, Inc. while he is on bond?**

STATEMENT OF FACTS

On January 25, 2023, Sammour was charged in the indictment with count one; conspiracy to commit health care fraud in violation of 18 U.S.C. § 1349.

Ibrahim Sammour is a registered nurse. He is presumed innocent and adamantly denies that he has been involved in any conspiracy to commit health care fraud.

As a condition of bond, Sammour was permitted to do work as an RN. The specific condition is as follows: “Any employment must be

approved by Pretrial Services, and after consultation with the government. Not to be involved in the direct billing of any federally funded healthcare programs.” (ECF No. 19, Page ID 58)

Sammour recently requested to do work for Experts in Home Health Management, Inc. and submitted a letter to Pretrial Services dated April 27, 2023 from Sarah Daniels, the Clinical Manger at Experts stating,

“Mr Sammur, registered nurse will be working in the field for Experts in home health management. Mr Sammur, has nursing skills to provide care for patients at home. Mr Sammur will not be submitting or controlling billing for Medicare. Expert’s office staff (administration) will be doing the billing for all Medicare patients.”

This letter provides that Sammour is “not to be involved in the direct billing of any federally funded healthcare programs” as required as a condition of bond.

Pretrial services has denied this request and has not given a reason for denying Sammour the opportunity to work for Experts, writing in an email dated May 2, 2023 to Sammour,

“After considering employment at Experts in Home Health Care, Pretrial Services is not approving this employment. If you would still like to pursue this position, the Court would need to grant approval and your attorney can assist you with that. Thank you.”

The government has objected to Sammour’s request to work for Experts - and will likely object to any opportunity that Sammour has to do work for any home health care company based upon the government’s position taken at Sammour’s arraignment.

The government’s position stands in stark contrast to the letter from Experts where Experts has stated that “Mr Sammur will not be submitting or controlling billing for Medicare. Expert’s office staff (administration) will be doing the billing for all Medicare patients.”

Experts has work for Sammour to perform as an RN and Sammour can start immediately. Sammour cannot work at Experts without an order from this Court allowing him to do so.

LEGAL ARGUMENT

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the Court must determine the least restrictive condition, or combination of conditions, to reasonably assure the safety of any person and the community. *Id.* 18 U.S.C. § 3142(g) sets forth the factors to be considered, including (1) the nature and circumstances of the offense, (2) the weight of the evidence, (3) the history and characteristics of the Defendant, and (4) danger to the community.

Sammour wishes to do work for Experts in Home Health Management, Inc., and has provided pretrial services with a letter dated April 27, 2023 from Sarah Daniels, the Clinical Manager at Experts stating,

“Mr Sammur, registered nurse will be working in the field for Experts in home health management. Mr Sammur, has nursing skills to provide care for patients at home. Mr Sammur will not be submitting or controlling billing for Medicare. Expert’s office staff (administration) will be doing the billing for all Medicare patients.”

Here, the apparent concern for pretrial services and/or the government is for health care billing fraud and financial danger to the government if Sammour were permitted to directly bill Medicare or any other federally funded healthcare programs. However, this concern is unjustified because Sammour will not be involved with any direct billing of Medicare or any health care programs while doing RN work for Experts. He will only do work for Experts as an RN in the field.

Pretrial services has not provided any reason for denying Sammour the opportunity to do work for Experts as a registered nurse in the field.

Sammour now seeks relief from this Court.

REQUEST FOR RELIEF

WHEREFORE, Ibrahim Sammour requests that this Court enter an order permitting him to do work as a registered nurse in the field for Experts in Home Health Management, Inc.

Respectfully submitted,

MITCHELL T. FOSTER, P.C.

By:

Date: May 2, 2023

s/ ***Mitchell T. Foster***
Mitchell T. Foster (P46948)

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CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2023 I electronically filed the foregoing document with the Clerk of the Court using the ECF system. It will send notification of such filing to all attorneys of record.

MITCHELL T. FOSTER, P.C.

By:

Date: May 2, 2023

s/ ***Mitchell T. Foster***
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